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Page 1 of 1

Docket No.: GNE.3230R1C45

CUSTOMER NO. 30,313

Applicant : Goddard, et al.
App. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME
Examiner : Kolker, Daniel E.
Group Art Unit : 1649

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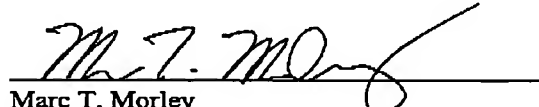


Marc T. Morley, Reg. No. 52,051

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

- (X) RESPONSE TO EXAMINER REQUEST in two (2) pages.
- (X) A copy of the *Response to Office Communication* filed on June 16, 2005 in two (2) pages.
- (X) A copy of the returned postcard showing receipt by the PTO of the *Response to Office Communication* in one (1) page.
- (X) A copy of the *Submission Filed with Request for Continued Examination* that was filed on March 18, 2005 in twenty-seven (27) pages, not including the declaration, exhibits or IDS that also were filed on March 18, 2005.
- (X) Total pages in transmission: 33

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.


Marc T. Morley
Registration No. 52,051
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GNE.3230R1C45

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Examiner : Kolker, Daniel E.
Group Art Unit : 1649

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Total number of pages including this
sheet: 32


Marc T. Morley, Reg. No. 52,051RESPONSE TO EXAMINER REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is sent in response to a telephone request by Examiner Kolker. The Examiner contacted the undersigned and requested that Applicants submit (1) a copy of the *Response to Office Communication* filed on June 16, 2005, and (2) a copy of the returned postcard evidencing that the PTO received the *Response to Office Communication* along with the other listed papers on June 20, 2005. Both of the requested items are included with this paper.

Also enclosed is a copy of the *Submission Filed with Request for Continued Examination* that was filed on March 18, 2005, and received by the PTO on March 21, 2005 as indicated by PAIR. Applicants state that the submission includes the correct claims for examination in the above-referenced application. Please note that the Declaration and Exhibits that accompanied the submission filed on March 18, 2005 are not included with this paper.

Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

Appl. No. : 10/063,565
Filed : May 2, 2002

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 24, 2005

By: M.T. Morley
Marc T. Morley
Registration No. 52,051
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Customer No. 30,313
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GNE.3230R1C45

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant : Goddard, et al. (as previously amended)
Appl. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Examiner : James Jason Galvez
Group Art Unit : 1647

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 16, 2005

(Date)


Marc T. Morley, Reg. No. 52,051RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Communication mailed May 17, 2005.

REMARKS

The Office Communication dated May 17, 2005 acknowledged receipt of a request for continued examination under 37 C.F.R. 1.114, the appropriate fee, and a submission in connection with the above-referenced patent application. However, the Office Communication asserts that the submission was not fully responsive to the prior Office Action due to an alleged cancellation of the previously examined claims. Because Applicants' submission was a *bona fide* attempt to provide a complete reply, Applicants were given a one month period to submit a complete reply.

A review of the Patent Office's PAIR database shows that the response referred to by the Office Communication is actually the response that was filed for related Application No. 10/063,566 (Attorney Docket No. GNE.3230R1C46). That submission incorrectly listed the

Appl. No. : 10/063,565
Filed : May 2, 2002

Application No. as 10/063,565, rather than as 10/063,066, although the transmittal and IDS listed the correct number. Thus, it appears that the submission for the related application has been mistakenly placed in the instant file causing confusion as to the identity of correct submission.

The correct submission for Application No. 10/063,565 was filed on March 18, 2005. For the sake of clarity, submitted herewith is a copy of that submission that was filed in connection with the request for continued examination, along with a copy of the filing documents. The submission is a complete response to the Office Action dated October 20, 2004 and includes a Declaration under Rule 131.

Applicants have endeavored to fully respond to the Office Communication dated May 17, 2005. Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 16, 2005

By: M. T. Morley

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